

**M I N U T E S**  
**UTAH BURGLAR ALARM BOARD**  
**AUGUST 22, 2001**  
**Room 4B - Fourth Floor - Heber Wells Bldg.**  
**160 East 300 South**  
**Salt Lake City, Utah**

**CONVENED:** 9:21 A.M.

**ADJOURNED:** 12:10 P.M.

**PRESENT:**

Clyde Ormond, Bureau Manager  
Marty Simon, Board Secretary  
Board Members:  
Ed Bruerton      Erick Spotten  
Gloria Brady      David Sadler

**ABSENT:**

Mike Richards

**GUESTS:**

Craig Jackson, Division Director; Randy Bathemess, Invision Systems; Stanley Merritt, Russell Ryan and Len Long, Trans-Western Security dba Sonitrol; Brent Mangum, Sonitrol of Salt Lake; Roberta Moore, Utah Alarm Association.

**MINUTES:**

The minutes of the May 23, 2001 board meeting were approved as written.

**TOPICS FOR DISCUSSION:**

**DECISIONS AND RECOMMENDATIONS:**

**APPOINTMENTS:**

9:30 A.M.  
Josh Lopez

Mr. Lopez did not keep his appointment with the Board to review the Memorandum of Understanding (MOU) he signed on July 15, 2001. He also missed a drug screen on August 9, 2001. The Board determined he is out of compliance with the terms and conditions of his MOU.

A letter was sent to him on August 24, 2001 regarding the missed appointment and drug screen. He will be re-scheduled for the next board meeting on November 28, 2001.

10:00 A.M.  
Russell Fullerton

Mr. Fullerton met with the Board in person for his probation interview. A positive "Employer Report" was received from his supervisor, Jay Bartlett, at Mountain Alarm on July 27, 2001. The Board determined he is now in compliance with his MOU. He was scheduled for a telephone probation interview at 435-628-4255 between 9:30-10:00 on November 28, 2001.

Travis Martinez – Employer Report only

The Board reviewed a positive "Employer Report" from his supervisor, Wade Spencer, at On Site Alarm on June 12, 2001. The Board determined he is in compliance

with his MOU.

**NEW APPLICATIONS:**

Companies:

Emergency Twenty Four, Inc.

QA: Baird Larson

An application for licensure as a Burglar Alarm Company was reviewed by the Board. The Board determined that Mr. Larson's experience meets the requirements of the statute. A motion was made by Mr. Sadler and seconded by Mr. Bruerton to approve Mr. Larson to be the qualifying agent for this company contingent upon a clear criminal record from the FBI. The company license can be approved upon receipt of clear criminal records from the FBI for all corporate officers. The motion carried unanimously.

Invision Systems, LLC – Change of QA

QA: Randy Bathemess

An application for a change of the qualifying agent for this company was reviewed. The prior qualifying agent was Joseph Hoskins. The Board determined that Mr. Bathemess' experience meets the requirements of the statute. A motion was made by Mr. Bruerton and seconded by Mr. Sadler to approve Mr. Bathemess to be the new QA for this company. The motion carried unanimously.

Mr. Ormond then noticed that Mr. Bathemess had surrendered his contractor license in 1996. The Board reviewed the disciplinary file but found no reason to rescind their approval.

Justin Gray dba Gray Security Installations

QA: Justin Gray

An application for licensure as a Burglar Alarm Company was reviewed by the Board. The Board determined that Mr. Gray's experience meets the requirements of the statute. A motion was made by Ms. Brady and seconded by Mr. Sadler to approve Mr. Gray as the qualifying agent for this company. The company license can also be approved since Mr. Gray holds a current license as a burglar alarm agent. The motion carried unanimously.

Mountain West Security, LLC

QA: Keith Allred

An application for licensure as a Burglar Alarm Company was reviewed by the Board. One of Mr. Allred's "Verification of Qualifying Experience" forms was from Alcatraz Alarm. The Board was not familiar with this alarm company. Mr. Ormond will verify that the company is valid.

A motion was made by Mr. Sadler and seconded by Ms. Brady to request that Mr. Allred provide a "Verification of Qualifying Experience" form signed by a manager of Mountain Alarm and the validity of Alcatraz Alarm be verified. If the documentation received shows that he

orm which is not acceptable.

Mr.Ormond suggested that if his experience can be verified, then perhaps he could be issued a probationary license. He could possibly obtain verification of his experience from ADT, Lagoon & Wasatch.

A motion was made by Mr. Bruerton and seconded by Mr. Sadler to request that he complete his application by providing the verification of the required 6000 hours of work experience. The Board can not make a determination until the experience is documented by his employers. The Board also requested that he meet with them to review his experience and they will consider issuing him a probationary license. The motion carried

unanimously.

After a later review of the Stipulation and Order by Mr. Ormond, it was determined the purpose of the probation is to ensure that he is no longer working in areas outside the scope of his license. An additional probation for his burglar alarm company license is not needed since his electrician license is already on probation. Any violation of the current Stipulation and Order would also affect his burglar alarm company license.

Mr. Ormond waived the fingerprint check from FBI since he holds a current license as a burglar alarm agent and approved his experience to become the qualifying agent for this company. His company license was issued on August 28, 2001.

Trans-Western Security, LLC  
dba Sonitrol of Salt Lake  
QA: Randall Moore

Stanley Merritt, Russell Ryan, Len Long and Brent Mangnum met with the Board to discuss their company's application for licensure as a Burglar Alarm Company. They requested that Mr. Stanley Merritt be considered to be the Qualifying Agent for this Agent for this company instead of Mr. Moore. Documentation of Mr. Merritt's experience was presented to the Board for review and was found to meet the requirements of the statute. A waiver of the Burglar Alarm Qualifier Exam was requested based upon his having taken and passed the Federal Communications Commission (FCC) Exam, has held a FCC license for 25 years and endorsement of his license from California as a burglar alarm agent. They stated the FCC Exam he took is far advanced of the Burglar Alarm Qualifier Exam required in Utah. It was noted that he was not the qualifying agent for his company in California, therefore he did not take an exam to be a qualifying agent there. Mr. Merritt has also taken and passed the National Burglar & Fire Alarm Association (NBFAA) exam and holds a Level I classification.

Mr. Bruerton expressed concern about whether the FCC exam addresses the particular electronics used in burglar alarm systems. Mr. Spotten noted that endorsement usually means endorsement of a license from another state and Mr. Merritt did not hold a burglar alarm qualifying agent license in California but a Federal Communications Certification. Mr. Ormond suggested the Board review this with Bill Loos, Attorney General's Office, and he went to invite him to the meeting.

Trans-Western Security (cont)

Mr. Loos joined the meeting. Mr. Merritt's background and

request was reviewed with Mr. Loos. Mr. Ryan, their Attorney, cited the endorsement requirement in 58-1-302, Utah Code Annotated, that states "The Division may issue a license without examination to a person who has been licensed in any state...whose examination requirements are, or were at the time the license was issued, equal to those of this state." Mr. Loos stated it is up to the Board's discretion to make a decision as to whether to accept the person's experience and examination for endorsement. Mr. Ormond stated a content outline of the FCC Exam must be provided to the Board for comparison to the Utah Burglar Alarm Qualifying Agent Exam to determine equivalency. Mr. Loos asked Mr. Merritt if the FCC exam had been revised since he took the exam. He replied it probably had.

Mr. Spotten then stated the request for Mr. Merritt to be the qualifying agent for the company would be tabled temporarily. The Board then considered the application for Randy Moore to be the qualifying agent for this company. Mr. Ormond read the letter from Mr. Moore, which stated there is not a conflict of interest between his company and Sonitrol. A motion was made by Mr. Sadler and seconded by Mr. Bruerton to approve Randy Moore to be the qualifying agent for this company. The motion carried unanimously.

A motion was made by Mr. Sadler and seconded by Mr. Bruerton to go to a closed session. The motion carried unanimously. All guests were excused from the room.

A motion was made by Mr. Sadler and seconded by Ms. Brady to open the meeting. The motion carried unanimously. The guests rejoined the meeting.

The Board stated that a written statement of the Board's decision would be sent to Trans-Western Security within the week. Mr. Ryan requested that a copy of the letter be sent to him also.

## **DISCUSSION ITEMS:**

### **Pulling Low Voltage Wire**

The Board discussed the conflict between contractors and the burglar alarm industry about the legality of contractors being allowed to pull low voltage wire. Mr. Ormond informed the Board about some recent citations that had been given to people pulling low voltage wire that were not licensed as burglar alarm agents that had been thrown out. He suggested that a committee be formed to meet and discuss this matter at the end of September. The committee will include: Mr. Ormond; Ed Bruerton,

Burglar Alarm Board Representative; Craig Cottle, Bureau Manager for Contractors; Wayne Holman, Division Investigations Representative; Bill Loos, Attorney General's Office; and a member of the Electrician's Board. Some issues to be discussed at that meeting are: 1. come to an agreement regarding who can legally pull low voltage wire; 2. criminal history of the person involved with the alarm system, and 3. the false alarm rate. This will be accomplished by a rule change if possible.

Review of Exam Results

Mr. Bruerton requested a report from the testing agency regarding the pass/fail rate. Of the Burglar Alarm Qualifying Agent Exam. He wants to know if there are less questions regarding alarms than they should be. If there are, it might be necessary to change the ratio of the content of the type of questions in the exam. Mr. Ormond will request the information from John Andrus at Experior.

NBFAA Certification

It was decided that a Burglar Alarm Agent Installer is not required to maintain the NBFAA certification by doing continuing education. This information will be dispersed in the next newsletter for this profession.

**NEXT MEETING:**

November 28, 2001.

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DATE APPROVED

CHAIRPERSON, UTAH BURGLAR  
ALARM BOARD

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DATE APPROVED

BUREAU MANAGER, DIVISION OF  
OCCUPATIONAL & PROFESSIONAL  
LICENSING